

PTO/SB/01 (04-05)

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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

Declaration Submitted With Initial Filing

OR

Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (c)) required)

Attorney Docket Number	
First Named Inventor	Barry James SMALL
COMPLETE IF KNOWN	
Application Number	10/509,297
Filing Date	28 March 2002
Art Unit	
Examiner Name	

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Thermal storage device

(Title of the Invention)

the specification of which

 is attached hereto

OR

was filed on (MM/DD/YYYY)

09/24/2004

as United States Application Number or PCT International

Application Number

PCT/AU02/00413

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	Certified Copy Attached? NO
2002211521	Australia	03/28/2002	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

 Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: The address associated with Customer Number: OR Correspondence address below

Name

Garth Paton

Address

Unit 1, 66 Wolseley Road

City

Point Piper

State

NSW

ZIP

2027

Country

Australia

Telephone

61 2 9352 9368

Email

garth@synergythermal.com

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

Barry James

Family Name or Surname

Small

Inventor's Signature

Date

Residence: City

Sydney

State

NSW

Country

Australia

Citizenship

Australia

Mailing Address
107 Warren Road

City

Smithfield

State

NSW

Zip

2154

Country

Australia

assignee for and on behalf of non-signing

NAME OF SECOND INVENTOR: Inventor:

A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

Garth Alan

Family Name or Surname

Paton

Inventor's Signature

Date

As Company Director of ACN106396698 Pty Ltd (assignee of nonsigning Inventor)

09/06/2005

Residence: City

Sydney

State

NSW

Country

Australia

Citizenship

Australia

Mailing Address
Unit 1, 66 Wolseley Road

City

Point Piper

State

NSW

Zip

2027

Country

Australia

 Additional inventors or a legal representative are being named on the

supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

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Telephone

612 9826 8500 or 93629388

Email

garth@synergythermal.com

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NAME OF SOLE OR FIRST INVENTOR:



A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

Barry James

Family Name or Surname

Small

Inventor's Signature

Date

05/16/2005

Residence: City

Sydney

State

NSW

Country

Australia *Aux*

Citizenship

Australia

Mailing Address
107 Warren Road

City

Smithfield

State

NSW

Zip

2164

Country

Australia

Assignee for and on behalf of non-signing inventor
NAME OF SIGNING INVENTOR: A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

Garth Alan

Family Name or Surname

Paton

Signature

For and on behalf of assignee and non-signing inventor:

Date

05/16/2005

Residence: City

Sydney

State

NSW

Country

Australia *Aux*

Citizenship

Australia

Mailing Address

Unit 1, 66 Wolseley Road, Point Piper

City

Point Piper Sydney

State

NSW

Zip

2027

Country

Australia

Additional inventors or a legal representative are being named on the _____ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: ACN 106396696 Pty LimitedApplication No./Patent No.: PCT/AU02/00413 Filed/Issue Date: 09/24/2004

Entitled: Thermal Storage Device

ACN 106396696 Pty Limited, a corporation
 (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of less than the entire right, title and interest.
 The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Mastercool International Pty Limited To: Focus Thermal Technologies (International) Pty Ltd
 The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: Focus Thermal Technologies (Int.) PtyLtd To: ACN 106396696 Pty Limited
 The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.


Signature

05/16/2005

Date

Garth Paton

612 9826 8500 or 612 9328 9388

Printed or Typed Name

Telephone Number

Director & Solicitor

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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